



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3008013
Applicant Name: Jeff Bates
Address of Proposal: 2328 Harbor Avenue S.W.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two new buildings, one, three story office (30,405 sq. ft.) and retail (13,825 sq. ft.) building and one, two story retail (20,900 sq. ft.) and restaurant (7,980 sq. ft.) building. Parking for 153 vehicles will be located in below grade garage. Existing structures to be demolished.

The following approval is required:

SEPA – Environmental Determination
(Chapter 25.05, Seattle Municipal Code)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Location: The project site is located along the east side of Harbor Avenue SW two parcels north of SW Florida Street, just where Harbor Avenue SW widens from approximately 100 feet to approximately 175 feet.

Zoning: The site is located in a General Industrial 2 zone (IG-2) with an 85-foot maximum height limit and is within the Duwamish

Manufacturing/Industrial Center as designated in Seattle's Comprehensive Plan. The property is within the Duwamish area's historical shoreline officially identified by the U.S. Government Meander Line map (per DPD Director's Rule 2-98). The property is also within liquefaction, flood prone and former landfill Environmentally Critical Areas (ECAs).

Project Site:

The site contains approximately 54,000 square feet and has approximately 336 feet of frontage along Harbor Avenue SW. The topography of the site is like a flat bowl, with the lowest elevation (12 feet above baseline) toward the center of the property, and the perimeter elevation about 18 feet at the street and 14 feet at the rear property line.

Street Access:

Access to the site is via Harbor Avenue SW which at this location is a paved arterial developed with curbs, gutters, planting strip and sidewalk (east side: trail) on both sides of the street. There is no median planter is located in the center of the right-of-way in this portion of Harbor Avenue SW.

Existing Development:

The property is developed with a number of small buildings and sheds, which are proposed for demolition. There is also substantial outdoor storage use on the site.

Vicinity characteristics:

Properties located along the east side of Harbor Avenue are zoned IG-2 U/85 and along the west side, where the street right of way is widest, SF7200. North and south of the site across Harbor Avenue SW, properties are zoned C1-40, though predominantly developed with residential structures. The site is surrounded on the north and east by Burlington Northern Santa Fe railroad property and tracks and on the south by Port of Seattle property. Terminal 5 is located close by, just beyond the railroad property.

Proposal Description:

The proposal is to demolish existing structures and to construct a 17,530 square foot footprint "North Building" and a 20,976 square foot footprint "South Building" above an underground parking facility serving approximately 131 vehicles. Uses would be 31,000 square foot of retail, 35,000 square foot of office, 8000 square feet of restaurant, and 20,000 square feet of outdoor circulation and plaza space.

Public Comments

There was one comment letter, expressing concern about loss of industrial land for industrial development.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and supplemental information found in the file which forms the basis for this analysis and decision.

Short-term Impacts

Short-term or construction activities could result in the following adverse impacts: soil erosion and runoff, mud and dirt on adjacent streets, emissions from construction machinery and vehicles, increased dust levels, increased noise levels, spot glare and lighting, blockage of sidewalks adjacent to the site, occasional disruption of adjacent vehicular traffic, increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources, and small increase in traffic and parking impacts due to construction workers' vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project.

Greenhouse Gas Emissions

Greenhouse gas emissions associated with the construction phase of development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions). The proposed project is estimated to generate almost 2,750 metric tons of CO₂ during this phase. Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. In this case, the While these impacts are adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this specific project. The other types of emissions are considered under the use-related impacts discussed later in this document. No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Historic Preservation:

Since the proposal site is located with the identified U.S. Government Meander Line, the potential exists for discovery of archeological significant resources and there may be some potential for unknown resources to be discovered. Director's Rule (DR) 2-98 provides clarification of State Environmental Policy Act (SEPA) Historic Preservation Policy for potential archeologically significant sites (SMC 25.05.675.H) and requirements for archeological assessments. Therefore, in the event such resources are found during construction, the proposal will be conditioned pursuant to DR 2-98 and as noted at the end of this report.

Earth:

The construction plans will be reviewed for stability and soils considerations by DPD's Geotechnical Engineer and the Building Plans Examiner, who will also require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary in accordance with Director's Rule 33-2006 prior to issuance of the Master Use Permit.

As indicated by the soils report, this project (as recommended by the geotechnical engineer) will not significantly increase the risk of land instability.

Long-term Impacts

Long-term or use related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased pedestrian and vehicular traffic; on-street parking demand due to residents and visitors; increased airborne emissions resulting from additional traffic; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources, and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope. Nevertheless, a more detailed discussion of parking impacts is warranted.

Parking

The proposal is to allow peak daytime demand for 40 cars to spill over onto streets within 800 feet of the project site. Such demand would utilize slightly less than half the 91 on-street parking spaces remaining after project construction, and bring utilization – given no increase in the presently observed demand for 18 on-street parking spaces - to 64%. This is a large demand for spillover parking, but the area is unusual in that a large portion of the adjacent street adjoins railroad property, which generates no parking demand whatsoever. Port of Seattle owns another large chunk property adjacent to the right-of-way, which appears to be used for parking. Although this lot could be developed – and likely will be developed in the future, its parking demand, including spillover demand (if any), can be addressed at that time. Meanwhile, it appears reasonable to allow the neighboring site to utilize a disproportionate share of on-street parking, most of which is likely to be on the east (project) side of Harbor Avenue SW.

Plans show the analysis of parking requirements under the Land Use Code, which under-estimate the actual parking demand. To ensure clarity regarding actual parking requirements (determined by SEPA condition), project approval is conditioned upon prominently adding to the zoning analysis page the consultant's revised and corrected parking demand analysis. A bold note shall also be added to the same page, stating: "The Land Use Code establishes the lesser reference point for parking requirements for this project. The parking demand analysis, where it shows greater parking demand, is determinative with respect to parking requirements."

Greenhouse Gas Emissions

Greenhouse gas emissions associated with operation of the development come from two main sources: energy demands and transportation demands. The proposed project is estimated to generate almost 87,500 metric tons of CO₂ over its lifespan. Emissions from the generation of greenhouse gases due to increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(c).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2)(c).

CONDITIONS - SEPA

Prior to Issuance of Master Use Permits:

The owner and/or responsible parties shall:

1. Provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.
2. Prominently add to the zoning analysis page the consultant's revised and corrected parking demand analysis. A bold note shall also be added to the zoning plan page, stating: "The Land Use Code establishes the lesser reference point for parking requirements for this project. The parking demand analysis, where it shows greater parking demand, is determinative with respect to parking requirements."

Prior to Issuance of any permit to construct:

3. The owner and/or responsible parties shall document that contract documents for all site work include binding provisions for proper archeological resource management.

During Construction:

4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - Stop work immediately and notify DPD (Planner name and phone #) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.

- Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: _____ (signature on file) Date: March 26, 2009
Paul Janos, Land Use Planner

PJ:bg

Janos/doc/decisions other than platting/3008013 IG2 office retail parking + demo Janos.doc